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U.S. DISTRICT COURT
June 3, 2005
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Gina Edge, Docket Clerk
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210

Re: *BES Enterprises, Inc. v. Rony Natanzon, et al.*
U.S. Dist. Ct., D. Mass., C.A. No. 05-10477-GAO

Dear Ms. Edge:

I am writing to follow up on Mr. LeClair's May 31, 2005 letter concerning the pending Motion to Dismiss and plaintiffs' discovery.

Mr. LeClair has courteously granted the defendants an extension to respond to plaintiffs' discovery, to Tuesday, July 5, 2005. In so doing, however, Mr. LeClair expressed the reasonable concern that this extension not prejudice his ability to have the Court consider supplemental memoranda based on defendants' responses to his client's discovery prior to rendering a decision on defendant's Motion to Dismiss, currently pending before the Court.

Therefore, on behalf of both parties, I write to request that no action on defendants' Motion to Dismiss be taken until after defendants' discovery responses are served and the parties have the opportunity to file supplemental memoranda based on such discovery, if they so choose.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Erik Bartenhagen'.

Erik P. Bartenhagen

EB:baw

cc: Brian W. LeClair, Esq.
Robert B. Levin, Esq.

Nutter McClennen & Fish LLP ■ Attorneys at Law